IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO: 12186 of 2005

Between:

1 Sri Rama Labour Contract Co-op. Society Ltd., Vallampad Vil. & Man.,

Karimnagar District,
2 Siva Labour Contract Co-op. Society Ltd., Kamanpoor Vill. & Mandal,

Karimnagar District.
3 Sri Laxmi ST.SC. BC Labour Contract Mutually aided Co-op. Society

Ltd., Jyothinagar, Karimnagar District,
4 Sri Shiva Labour Contract Co-op. Society Ltd., Vedurgutta,

Choppadandi Mandal, Karimnagar,
5 Jawaharlal Nehru SC, BC, Civil Works building Colours Labour

Contract Co-op. Society Ltd.,
Rep. by its President Akula Mohan.

..... PETITIONERS

A N D

The Commissioner, Karimnagar Municipal Corporation,
Karimnagar.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in one nature of writ of mandamus declaring the action of the respondent insisting Earnest Money Deposit from the Petitioner is illegal, arbitrary, and violation of Government Orders,

consequently direct the respondent not to insist payment of Earnest Money Deposit from the petitioners at the time of acceptance of tender schedules or allotment of works within the jurisdiction of respondent authority.

Counsel for the Petitioner: MR.KOONA REDDY ANJI REDDY

Counsel for the Respondent: MR.POLISETTI RADHAKRISHNA (SC FOR MPL)

*The Court at the stage of admission made the following***:** (order follows 2nd page)

O R D E R :

This writ petition is filed seeking to declare the action of the respondent insisting Earnest Money Deposit (EMD) from the petitioners as illegal, arbitrary and violative of Government orders, consequently direct the respondent not to insist payment of Earnest Money Deposit from them at the time of acceptance of tender schedules or allotment of works within the authority of the respondent.

Heard the learned counsel for the petitioner as well as the learned standing counsel for the respondent.

After hearing both sides, it is brought to the notice of this court that the issue involved in this writ petition is squarely covered by a decision of this court in WP.No.2900 of 2004 dated 02-4-2004.

Following the judgment dated 02-4-2004 passed in WP.No.2900 of 2004, this writ petition is liable to be dismissed and accordingly dismissed at the admission stage.

No costs.

JUNE 10th, 2005. ----------

I S L. ELIPE DHARMA RAO, J.

To

1 The Commissioner, Karimnagar Municipal Corporation,
Karimnagar.

2 Two CD Copies.

3 1 CC to MR.POLISETTI RADHAKRISHNA (SC FOR MPL)

4 1 CC to MR.KOONA REDDY ANJI REDDY